

111TH CONGRESS
2D SESSION

S. 3678

To improve mental health services for members of the National Guard and Reserve deployed in connection with a contingency operation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2010

Mr. LAUTENBERG introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To improve mental health services for members of the National Guard and Reserve deployed in connection with a contingency operation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sergeant Coleman
5 Bean National Guard and Reserves Mental Health Act”.

1 **SEC. 2. IMPROVEMENT OF MENTAL HEALTH ASSESSMENTS**
2 **OF MEMBERS OF THE ARMED FORCES DE-**
3 **PLOYED IN CONNECTION WITH A CONTIN-**
4 **GENCY OPERATION.**

5 (a) IN GENERAL.—Section 708(a) of the National
6 Defense Authorization Act for Fiscal Year 2010 (Public
7 Law 111–84; 123 Stat. 2376; 10 U.S.C. 1074f note) is
8 amended by adding at the end the following new para-
9 graph:

10 “(3) RECALL OF RESERVES TO ACTIVE DUTY
11 FOR POST-DEPLOYMENT ASSESSMENTS.—Under reg-
12 ulations prescribed by the Secretary of Defense, the
13 Secretary of the military department concerned may
14 call or order a member of a reserve component of
15 the Armed Forces to active duty for purposes of per-
16 forming a mental health assessment of the member
17 under subparagraph (B) or (C) of paragraph (1).”.

18 (b) CLARIFYING AMENDMENT.—Paragraph (1) of
19 such section is amended in the matter preceding subpara-
20 graph (A) by inserting “, including a member of the re-
21 serve components,” after “each member of the Armed
22 Forces”.

1 **SEC. 3. SUICIDE PREVENTION FOR CERTAIN RESERVES DE-**
 2 **PLOYED IN CONTINGENCY OPERATIONS**
 3 **SINCE SEPTEMBER 11, 2001.**

4 (a) IN GENERAL.—Chapter 55 of title 10, United
 5 States Code, is amended by inserting after section 1074l
 6 the following new section:

7 **“§ 1074m. Suicide prevention for certain reserves de-**
 8 **ployed in contingency operations since**
 9 **September 11, 2001**

10 “(a) SUICIDE PREVENTION.—

11 “(1) TELEPHONE CALL.—The Secretary of De-
 12 fense shall ensure that each covered member receives
 13 a telephone call described in subsection (b) not less
 14 than once every 90 days during the period in which
 15 the covered member remains a member of the Indi-
 16 vidual Ready Reserve, an individual mobilization
 17 augmentee, or a member of the inactive National
 18 Guard, as the case may be.

19 “(2) EXCLUSION OF CERTAIN COVERED MEM-
 20 BERS.—A telephone call is not required for a cov-
 21 ered member under this subsection if the Secretary
 22 determines that the member was not subjected or
 23 exposed to operational risk factors during deploy-
 24 ment in the contingency operation concerned.

25 “(b) COUNSELING CALL.—A telephone call described
 26 in this subsection is a call from properly trained personnel

1 to determine the emotional, psychological, medical, and ca-
2 reer needs and concerns of the covered member.

3 “(c) REFERRAL.—(1) The personnel making a tele-
4 phone call described in subsection (b) shall refer a covered
5 member identified as being at-risk of self-caused harm to
6 the nearest military medical treatment facility or accred-
7 ited TRICARE provider for immediate evaluation and
8 treatment by a qualified health care provider.

9 “(2) Under regulations prescribed by the Secretary
10 of Defense, the Secretary of the military department con-
11 cerned may call or order a covered member to active duty,
12 with the consent of the member, for evaluation and treat-
13 ment under this subsection.

14 “(3) If a member is referred under this subsection,
15 the Secretary of Defense shall confirm that the member
16 has received the evaluation described in paragraph (1) and
17 any necessary treatment.

18 “(d) REPORTS.—Not later than January 31 each
19 year, beginning in 2011, the Secretary of Defense shall
20 submit to Congress a report on the number of covered
21 members who have been referred for counseling or mental
22 health treatment under this section, as well as the health
23 and career status of such members.

24 “(e) COVERED MEMBER DEFINED.—In this section,
25 the term ‘covered member’ means the following:

1 “(1) A member of the Individual Ready Reserve
 2 described in section 10144(b) of this title who has
 3 deployed to Afghanistan or Iraq in support of a con-
 4 tingency operation on or after September 11, 2001.

5 “(2) A member of a reserve component who is
 6 an individual mobilization augmentee who has de-
 7 ployed to Afghanistan or Iraq in support of a contin-
 8 gency operation on or after September 11, 2001.

9 “(3) A member of the inactive National Guard
 10 who has deployed in support of a contingency oper-
 11 ation on or after September 11, 2001.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
 13 at the beginning of chapter 55 of such title is amended
 14 by inserting after the item relating to section 1074l the
 15 following new item:

“1074m. Suicide prevention for certain reserves deployed in contingency oper-
 ations since September 11, 2001.”.

